

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

KRISTIN SIMMONS,
3300 Mills Crossing Place
Kensington, MD 20895

Plaintiff,

v.

UM CAPITAL REGION HEALTH, INC.
250 W. Pratt St, 24th Floor
Baltimore, MD 21201

and

**DIMENSIONS HEALTH CORPORATION
d/b/a UM CAPITAL REGION HEALTH,
INC.,**
3001 Hospital Dr.
Cheverly, MD 20785

Defendants.

Case No. 21-cv-02074

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441(a), 1446(a), and Md. Local Rule 103(5), Defendants UM Capital Region Health, Inc. and Dimensions Health Corporation file this Notice of Removal of the above-captioned matter from the Circuit Court of Prince George's County, Maryland to the United States District Court for the District of Maryland. The grounds for removal are as follows:

1. On or about May 11, 2021, Plaintiff Kristin Simmons filed a Complaint in the Circuit Court for Prince George's County, Maryland, entitled *Kristin Simmons v. UM Capital Region Health, Inc., et al.*, Case No. CAL21-05005 (the "State Court Case"). Plaintiff served Defendant UM Capital Region Health Inc. with a Summons and Complaint. Copies of the Writ of Summons, Complaint and all State Court documents received to date are filed herewith.

Defendant Dimensions Health Corporation has not been formally served with a Writ of Summons and the Complaint.

2. This Court has original jurisdiction over the matter because Plaintiff alleges that Defendants discriminated against her on the basis of a disability in violation of the Americans with Disabilities Act, 42 U.S.C. §§ 12101, *et seq.* and retaliation under the False Claims Act, 31 U.S.C. § 3730. This case arises under federal law and presents a federal question. Accordingly, this Court has original jurisdiction over this case pursuant to 28 U.S.C. § 1331.

3. The Circuit Court in which this matter was commenced is within this Court's District. Therefore, the matter is properly removable to this Court. 28 U.S.C. § 1441(a).

4. Filed herewith is a copy of the Notice of Filing of Notice of Removal, the original of which is being filed with the Clerk of the Circuit Court of Prince George's County, Maryland, as required by 28 U.S.C. § 1446(d).

5. Filed herewith is a copy of the Notice to Plaintiff of filing of Notice of Removal, the original of which is being served on Plaintiff in accordance with 28 U.S.C. § 1446(d).

6. Defendants submit this Notice of Removal without waiving any defenses to the claims asserted by Plaintiff or conceding that Plaintiff has pled claims upon which relief can be granted.

WHEREFORE, Defendants respectfully request that the Clerk note that this action has been removed from the Circuit Court of Prince George's County, Maryland to the United States District Court for the District of Maryland, and that all proceedings hereafter shall take place in the United States District Court for the District of Maryland.

Dated: August 16, 2021

/s/ Alison N. Davis

Alison N. Davis (Bar No. 27987)
LITTLER MENDELSON P.C.
815 Connecticut Avenue NW, Suite 400
Washington, DC 20006
Telephone: 202.842.3400
Facsimile: 202.842.0011
andavis@littler.com

Attorney for Defendants

CERTIFICATE OF SERVICE

I certify that on the 16th day of August, 2021, a copy of the foregoing was served by e-mail and FedEx, upon:

Ellen B. Flynn, Esq.
Smithey Law Group, LLC
706 Giddings Avenue, Suite 200
Annapolis, MD 21401
Ellen.Flynn@smitheyllaw.com

Counsel for Plaintiff

/s/ Alison N. Davis

Alison N. Davis